

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JANE DOE 1 and JANE DOE 2,

Plaintiffs,

s.

BOARD OF REGENTS OF THE  
UNIVERSITY OF NEBRASKA,

Defendant.

Case No. 4:20-cv-03081

**DEFENDANT'S  
UNOPPOSED MOTION TO  
EXCEED WORD LIMIT**

Defendant Board of Regents of the University of Nebraska ("BRUN"), pursuant to NECivR 7.1(d)(2), hereby moves the Court for an Order allowing them to exceed the limits of 6,500 words for their Reply Brief in support of Motion for Summary Judgment. In support, Defendant states:

1. In this case, there are two Plaintiffs, each with a Title IX, deliberate indifference claim, remaining. Each of the Plaintiffs present their own distinct and unique facts. BRUN has set forth over 355 paragraphs of material facts, and Plaintiffs' have set forth 167 paragraphs of additional material facts. The case contains large evidentiary record and each of the Plaintiffs present their own distinct and unique facts. Specifically, the evidentiary record utilized in the pending motions is approximately 123 documents, including audio records with hours of transcribed content. The legal issues presented in the pending motions are several, and the factual record is substantial.

2. Defendant's Motion for Summary Judgment asks this Court to dismiss all of the remaining claims with prejudice.

3. Defendant is preparing one Reply Brief in Support of the Motion for Summary Judgment addressing both Plaintiffs' claims and addressing various legal issues, including evidentiary issues. Specifically, Defendant has objections to exhibits offered by Plaintiffs, and also must respond to Plaintiffs' objections to BRUN's exhibits. Furthermore, Defendant

has objections to parts of the 166 paragraphs and intends to respond to the 17 paragraphs Plaintiffs' attempted to dispute.

4. In addition, there are various legal issues as it relates to each of the elements of the Title IX claim (except for the federal recipient element) that BRUN is required to respond to, including responding to the various factual allegations of Doe 1 and Doe 2 (derived from the 166 additional paragraphs), as it relates to each of the legal issues. Defendant requires the additional word count in order to address all material facts as it relates to the allegations of these two Plaintiffs and legal issues surrounding their respective claims.

5. This request is warranted in this case given: (1) the unique stature of the case (two Plaintiffs, each with their own, unique and distinct facts); (2) the importance of the factual details of this case; and (3) the various legal issues presented in this matter as to each of the elements, which requires application of two sets of facts (for Doe 1 and Doe 2).

6. Defendant's counsel contacted counsel for Plaintiffs on January 3, 2024. Plaintiffs' counsel does not object.

7. Accordingly, Defendant respectfully requests leave to file a Brief in excess of the 6,500 word limit, not to exceed 17,000 words.

WHEREFORE, Defendant respectfully requests that the Court grant its Motion to Exceed Word Limit, not to exceed 17,000 words.

DATED this 3rd day of January, 2025.

BOARD OF REGENTS OF THE  
UNIVERSITY OF NEBRASKA, Defendant

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties.

/s/ Lily Amare  
Lily Amare